



Docket No.: 198323US0PCT

TECH CENTER 1600/2900

OCT 11 2002

RECEIVED

#73  
JAY  
10/17/02

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF: :  
Hiroyoshi HIDAKA, et al. : GROUP ART UNIT: 1627  
SERIAL NO: 09/647,924 :  
FILED: OCTOBER 31, 2000 : EXAMINER: FRIEND, T.  
FOR: METHOD FOR IN VIVO DETECTING TARGET PROTEIN GENE BY DRUG

RESPONSE TO NOTICE OF NON-RESPONSE

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

In response to the Office Action mailed September 16, 2002, Applicants affirm their election, with traverse, of serum albumin as Species A, glutaraldehyde as Species B, and drug A (see Example 1, page 6) as Species C, for further prosecution. Claims 2-14 read on the elected species.

REMARKS

The Office has held the Response to Election of Species Requirement, filed on August 30, 2002, to be non-responsive. Applicants respectfully disagree with this holding. In particular, Applicants point to Example 1, specifically at page 6, in which the structure of drug A is clearly presented. However, for the Examiner's convenience Applicants have reproduced the structure of drug A below: